

9 December 1947

OGC HAS REVIEWED.

MEMORANDUM FOR THE CHIEF, SERVICES BRANCH, AAS

STATSPEC

Subject: Employees Uniforms -- [REDACTED]

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1. We refer to your memorandum of 8 December 1947, requesting a legal opinion concerning the purchase, from CIA funds of uniforms for native chauffeurs and messengers in the [REDACTED]

2. You are aware of the general rule requiring specific authority for the purchase of uniforms, and you are also aware that, in certain circumstances, the Comptroller General has permitted the purchase of uniforms overseas without specific authority. These decisions of the Comptroller General appear to be based on administrative determinations of the necessity of the purchase in connection with the official work of the office concerned.

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3. We feel that as this Agency is organized the proper officer to make an administrative determination of this type would be the Executive for Administration and Management. In submitting his request, the Administrative Officer, [REDACTED], has presented no facts which would enable the Executive for AAS to make a considered determination. [REDACTED] should, therefore, submit information tending to support the following points:

- (a) That for good and sufficient reasons, uniforms cannot, or will not, be supplied by the employees concerned;
- (b) That the uniforms remain the property of the United States Government;
- (c) That the support of United States prestige overseas, and conformity with established practice, requires the purchase of uniforms; or
- (d) That the use of uniforms is necessary to conduct official business of the Branch.

4. If I may supply personal knowledge for your information and guidance, the following may be helpful in connection with the above points:

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(a) [redacted] servants of a messenger and chauffeur type are paid such low wages, and Western clothing is so high in cost, that it would be out of the question for them to supply their own uniforms. This is common knowledge and needs a little supporting evidence.

(b) There is, of course, no difficulty about ownership remaining in the Government.

(c) During the war, a majority of native employees of United States agencies wore the native costume of long white galabees with sashes around the waist and a tarboosh around the head. I recollect that it was customary for the Legation to supply a ceremonial galabee for its major-domo, and some chauffeurs wore Western clothes, which were supplied out of surplus Government stocks. This may not be the peacetime situation, and it may be that there is a strong established practice for supplying uniforms for purposes of prestige and increased efficiency. It does not follow, however, that just because the State Department has certain prestige requirements, other agencies doing business in that area must follow the same procedures.

(d) As to the necessity for uniforms in connection with official business, I think it can be safely said that uniforms will assist office business in two ways. First, it will be an inducement to the best native employees to come to that office for work, and, secondly, it will increase their ease of access to other official offices and buildings. These are largely points of convenience, not necessity, and we feel there should be a stronger showing to the effect that failure to get the uniforms will measurably decrease the efficiency of operations.

5. If the Branch can satisfy the Executive for A&M on the above points, we feel that a considered administrative determination that the expenditure is necessary would not be questioned. This would be on the understanding, of course, that operations in the area concerned, for which the expenditure was justified, would be continued at that place for a

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reasonable length of time and were not merely being carried on in that particular place for a temporary period.

LAWRENCE H. ROUSTON
General Counsel

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